



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF

APR 21 2003

DE-9J

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

William C. Van Horne, Jr.
Environmental, Health and Safety Manager
Federal-Mogul Corporation
Sealing Systems
7450 North McCormick Boulevard
Skokie, Illinois 60076-8103

Re: Notice of Violation
EPA I.D. No.: ILD 005 119 334

Dear Mr. Van Horne:

On March 31, 2003, a representative of the United States Environmental Protection Agency (U.S. EPA) inspected the Federal-Mogul Corporation (FMC) site located in Skokie, Illinois. The purpose of the inspection was to evaluate FMC's compliance with the Standards Applicable to Generators of Hazardous Waste, Standards for Land Disposal Restrictions, Universal Waste Management and Management of Used Oil set forth at 35 Illinois Administrative Code (IAC), Title 35: Environmental Protection, Subtitle G: Waste Disposal, Chapter I: Pollution Control Board, and Title 40 of Code of Federal Regulations (40 CFR) Parts 262, 268, 273 and 279, respectively. Enclosed please find a copy of our inspection report.

Based on our March 31, 2003, inspection, we have determined that FMC is in violation of the following requirements:

1. FMC failed to comply with 35 IAC 722.111 by failing to make a hazardous waste determination for the "discrepant material" in the hazardous waste storage area.
2. FMC failed to meet all conditions at 35 IAC 722.134(a)(2) by not making visible on one 55 gallon container of hazardous waste the date upon which hazardous waste accumulation began. FMC does not have a permit or interim status.

3. FMC failed to comply with 35 IAC 725.152(d) because the FMC Contingency Plan did not contain the emergency coordinator's home address.
4. FMC failed to comply with 35 IAC 725.153. There was no documentation that the FMC Contingency Plan had been submitted to the police and fire departments, hospital and emergency response teams.

According to Section 3008(a) of the Resource Conservation and Recovery Act (RCRA), U.S. EPA may issue an order assessing a civil penalty for any past or current violation requiring compliance immediately or within a specified time period. Although this letter is not such an order, we request that you submit a written response to the violations cited above within 30 days of receipt of this letter. The response should document the actions, if any, which you have taken since the inspection to comply with the above requirements. You should submit your response to Diane Sharrow, United States Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, DE-9J, Chicago, Illinois 60604.

This determination does not limit the applicability of the requirements evaluated, other hazardous waste regulations, or regulations under other environmental statutes. U.S. EPA and the Illinois EPA (IEPA) will continue to evaluate your facility in the future.

If you have any questions regarding this matter, feel free to contact Diane Sharrow, of my staff, at (312) 886-6199.

Sincerely,



for
Lorna M. Jereza, P.E., Chief
Compliance Section 1
Enforcement and Compliance Assurance Branch
Waste, Pesticides and Toxics Division

Enclosure

cc: Todd Marvel, Illinois EPA

**U.S. EPA REGION 5
WASTE, PESTICIDES AND TOXICS DIVISION
ENFORCEMENT AND COMPLIANCE ASSURANCE BRANCH**

COMPLIANCE EVALUATION INSPECTION REPORT

FACILITY NAME: Federal-Mogul Corporation
Sealing Systems

FACILITY U.S. EPA ID NO.: ILD 005 119 334

FACILITY TYPE: Large Quantity Generator

FACILITY ADDRESS: 7450 North McCormick Boulevard
Skokie, Illinois 60076-8103

FACILITY REPRESENTATIVE: William C. Van Horne, Jr.
Environmental, Health and Safety
Manager
(847) 568-2656
(847) 568-1925 Facsimile
Bill_VanHorne@fmo.com

Angela Partin
Regulatory Compliance
(847) 568-2652
(847) 568-1925 Facsimile
(847) 335-2729 Pager
APARTIN@fmo.com

U.S. EPA REPRESENTATIVE: Diane M. Sharrow
Environmental Scientist
DE-9J
Compliance Section 1
(312) 886-6199
(312) 353-4342 Facsimile
Sharrow.Diane@epa.gov

DATE OF INSPECTION: March 31, 2003

NAIC (SIC) CODE: 3053 Gaskets, Packing and Sealing
Devices

**INSPECTION PRIORITY,
SECTOR, AND/OR PROCESS:** 2891 Adhesives and Sealants

PBTs¹: ---

INTRODUCTION:

The purpose of the inspection was to conduct a Compliance Evaluation Inspection (CEI) at the facility for management of its RCRA regulated waste. The purpose of this report is to document the CEI and the facility's compliance status. The USEPA OECA Small Business Information Sheet was given to the facility.

This Federal-Mogul Corporation (FMC) manufactures gaskets and sealing devices. The automotive industry represents 95% of its market/sales. The hazardous wastes generated during operations includes D001, D007, D035 (silk screen, ink, solvent rags and petroleum distillates), D001, D007, D035 and F005 (silk screen printing, roll coating and curtain coating), and D002 (corrosive liquids, lab packs, and miscellaneous wastes).

Within a few minutes of my arrival at FMC, I was introduced to Bill Van Horne and in turn to Angela Partin. I presented my Enforcement Officer credentials to Mr. Van Horne and informed him that I wished to conduct an unannounced hazardous waste inspection. I conducted a partial record review before doing a site inspection. I then finished the record review.

During the site inspection, I noted that FMC has several hazardous waste satellite accumulation locations and one hazardous waste storage area. While inspecting the hazardous waste storage area, I noted that there appeared to be some confusion over the requirement in 35 IAC 722.134(a)(2) to make visible on the hazardous waste container the date upon which hazardous waste accumulation began. One 55 gallon container was marked hazardous waste (Photograph 1), but did not have an accumulation start date. In one of the satellite accumulation areas, one of the hazardous waste containers was not full but had been marked with a hazardous waste accumulation start date. FMC agreed to correct the labeling immediately and to make sure employees understood the labeling requirement. Based on a manifest and weekly inspection record review, the container had not been in storage for greater than 90 days.

In my inspection of the hazardous waste storage area, I also noted that FMC had a shelf with various containers, numbering no more than ½ a dozen, including two paint cans (Photograph 2). FMC

¹ Persistent, bioaccumulative and toxic (PBT) chemicals - see www.epa.gov/wastemin.

indicated that this was what they called their "discrepant material area". Material was sent to this area for Ms. Partin to determine whether the material was a waste and possibly a hazardous waste. In my discussions with FMC, it was difficult to determine how long the material had been on the discrepant material shelf. I advised FMC that the regulations infer that a waste determination should be made as soon as FMC has determined that the waste is discarded or served its intended purpose. FMC agreed to develop procedures to make the waste determination as soon as possible.

During the site inspection, I noted that FMC recycles fluorescent bulbs and batteries, as well as used oil in containers. All used oil containers were marked with the words used oil.

During the record review, FMC's Contingency Plan was reviewed. I noted that the Contingency Plan did not contain the emergency coordinator's home address per 35 IAC 725.152(d), and that there was no documentation that the Contingency Plan had been submitted to the police and fire departments, hospital and emergency response teams as required by 35 IAC 725.153.

After my site inspection and record review, I discussed my inspection findings with Mr. Van Horne and Ms. Partin. I then left the site.

FINDINGS:

As a result of my inspection, I have determined that FMC violated/is violating the following hazardous waste requirements:

1. FMC failed to comply with 35 IAC 722.111 by failing to make a hazardous waste determination for the discrepant material in the hazardous waste storage area.
2. FMC failed to comply with 35 IAC 722.134(a)(2) by not making visible on one 55 gallon container of hazardous waste the date upon which hazardous waste accumulation began.
3. FMC failed to comply with 35 IAC 725.152(d) because the FMC Contingency Plan did not contain the emergency coordinator's home address.
4. FMC failed to comply with 35 IAC 725.153 because there was no documentation that the FMC Contingency Plan had been submitted to the police and fire departments, hospital and emergency response teams.

Regulation	RCRA GENERATOR INSPECTION CHECKLIST (PART 722)	Violation
	SUBPART C: PRE-TRANSPORT REQUIREMENTS	
	Is there any hazardous waste ready for transport off-site? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	
	If so, is the generator complying with the pre-transport requirements in Subpart C? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	
722.134(a)	Section 722.134 Accumulation Time Has the generator complied with the following requirements: Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	722.134(a)
722.134(a)(1)	A) For waste in containers, has the generator complied with the requirements of Part 725, Subpart I? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> and/or B) For waste in tanks, has the generator complied with the requirements of Part 725, Subpart J (except Sections 725.297(c) and 725.300)? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> and/or C) For waste on drip pads, has the generator complied with the requirements of Part 725, Subpart W and maintained the required records identified in this subsection? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/> and/or D) For waste in containment buildings, has the generator complied with Part 725, Subpart DD and maintained the required records identified in this subsection? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	discrepancy material Insp. Report Narrative Spec. Accum.
722.134(a)(2)	For waste in containers, has the generator marked and made visible for inspection on each container, the date upon which accumulation began? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	Confusion over satellite start date & acc date
722.134(a)(3)	For waste in containers and tanks, has the generator marked or labeled each with the words "Hazardous Waste"? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	
722.134(a)(4)	Has the generator complied with the requirements of Part 725, Subparts C and D, and Sections 725.116 and 728.107(a)(4)? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> Specifically, the requirements of items 1 and/or 4 above (listed by regulation) which need to be complied with are as follows: Does the facility accumulate hazardous waste in containers? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> If "No", go to Subpart J.	
	SUBPART I: USE AND MANAGEMENT OF CONTAINERS	
(725.211)	Has the generator closed an accumulation area? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
(725.214)	If "Yes", was the accumulation area closed in accordance with Sections 725.211 and 725.214? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	
(725.271)	If the containers have leaked or are in poor condition, has the owner/operator transferred the hazardous waste to a suitable container? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	
(725.272)	Is the waste compatible with the container and/or liner? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	
(725.273a)	Are containers of hazardous waste always closed except to remove or add waste during accumulation? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	
(725.273b)	Are containers of hazardous waste being opened, handled, or stored in a manner which will prevent the rupture of the container or prevent it from leaking? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	

Regulation	RCRA GENERATOR INSPECTION CHECKLIST (PART 722)	Violation
(725.274)	<p>Is the owner/operator inspecting the accumulation area(s) at least weekly, looking for leaks or deterioration? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></p> <p>Is the accumulation area free from any evidence of leaking or deteriorating containers? (See also Section 725.131) Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></p>	
(725.276)	<p>Are containers holding ignitable or reactive wastes located at least 15 meters (50 feet) from the facility's property line? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></p> <p>Note: See Section 725.117(a) for additional requirements for ignitable, reactive or incompatible wastes.</p>	
(725.277)	<p>Is the owner/operator complying with the requirements concerning incompatible wastes? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></p> <p>COMMENTS:</p>	
	<p>Does the generator accumulate and/or treat hazardous waste in tanks? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/></p> <p>Note: If "No", go to Subpart C.</p> <p>SUBPART J: TANK SYSTEMS</p> <p>Has the generator closed an accumulation area? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></p> <p>If "Yes", was the accumulation area closed in accordance with Sections 725.211 and 725.214? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></p>	
(725.211) (725.214)	<p>Does the facility accumulate or treat hazardous waste in tanks? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></p> <p>Note: A generator may treat hazardous waste in a tank for less than 90 days without a RCRA permit.</p> <p>If "No", skip Subpart J.</p> <p>a) Tank systems that are used to accumulate or treat hazardous waste which contains no free liquids (using the Paint Filter Liquids Test) and that are situated inside a building with an impermeable floor are exempted from the requirements in Section 725.293.</p> <p>b) Tank systems, including sumps, that serve as part of a secondary containment system to collect or contain releases of hazardous wastes are exempted from the requirements in Section 725.293(a).</p> <p>c) Tanks, sumps and other collection devices used in conjunction with drip pads (as defined in Section 720.110) and regulated under Subpart W, must meet the requirements of this Subpart.</p>	
(725.291a)	<p>For tanks existing prior to July 14, 1986 (see definition of tank system under 720.110) and not protected by a secondary containment system, has a written assessment been reviewed and certified by an IRPE(*) in accordance with Section 702.126(d) by January 12, 1988 [except as provided in Section 725.291(c)]? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></p>	
(725.291b)	<p>Does this assessment consider at least the following:</p> <ol style="list-style-type: none"> design standards for the tank and ancillary equipment? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> hazardous characteristics of the wastes? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> existing corrosion protection measures? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> documented age of the tank system? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> results of a leak test, internal inspection, or other tank integrity examination? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> 	
	*IRPE = Independent Registered Professional Engineer	

No Tanks for BW

USTs for fuel gas (2) diesel (2)

Regulation	RCRA GENERATOR INSPECTION CHECKLIST (PART 722)	Violation
(725.291c)	<p>Has a tank system assessment been performed within 12 months after the materials in the tank become a hazardous waste?</p> <p>Yes _____ No _____ N/A _____</p> <p>Note: If an assessment indicates a tank system is leaking or unfit for use, the owner/operator must comply with the requirements of Section 725.291(b)(5).</p>	
(725.292a)	<p>For new tanks (see definition of new tanks under Section 720.110) whose installation commenced after 07/14/86, has a written assessment been reviewed and certified by an IRPE in accordance with Section 702.126(d) prior to operation of the tank system?</p> <p>Yes _____ No _____ N/A _____</p> <p>Does the assessment include, at a minimum, the following:</p> <ol style="list-style-type: none"> 1) design standards for tanks and ancillary equipment? Yes _____ No _____ N/A _____ 2) hazardous characteristics of the waste(s) to be handled? Yes _____ No _____ N/A _____ 3) evaluation of potential for corrosion and corrosion protection measures for tank systems with metal components in contact with soil or water? Yes _____ No _____ N/A _____ 4) design or operational measures that will protect underground tank systems from potential damage resulting from vehicular traffic? Yes _____ No _____ N/A _____ 5) designs to ensure adequate foundations, anchoring to prevent flotation or dislodgment and the ability to withstand the effects of frost heave? Yes _____ No _____ N/A _____ 	
(725.292g)	<p>Has the owner/operator obtained and kept on file at the facility the written statements, including the certification statements [as required in Section 702.126(d)] of the design and installation requirements of Subsections (b) through (f)?</p> <p>Yes _____ No _____ N/A _____</p>	
(725.293a)	<p>Is secondary containment provided for any new tank system before being put into service?</p> <p>Yes _____ No _____ N/A _____</p> <p>Does an existing tank, used to accumulate F020, F021, F022, F023, F026 or F027 waste(s), have secondary containment by 1/12/89?</p> <p>Yes _____ No _____ N/A _____</p> <p>For an existing tank of documentable age, is secondary containment provided by 1/12/89 or when the tank is 15 years old, whichever is later?</p> <p>Yes _____ No _____ N/A _____</p> <p>For an existing tank of undocumentable age, has secondary containment been provided by 1/12/95?</p> <p>Yes _____ No _____ N/A _____</p> <p>or</p> <p>if the facility is older than 7 years, by the time the facility reaches 15 years of age or 1/12/89, whichever is later?</p> <p>Yes _____ No _____ N/A _____</p> <p>For tanks that accumulate wastes that become hazardous after 1/12/87, has secondary containment been provided within the time intervals required in Subsections (a)(1) through (a)(4) substituting the date that a material becomes a hazardous waste for 1/12/87?</p> <p>Yes _____ No _____ N/A _____</p>	
(725.293b)	<p>Is the secondary containment system designed, installed and operated to prevent migration of wastes or accumulated liquid out of the system at any time?</p> <p>Yes _____ No _____ N/A _____</p> <p>Is the secondary containment system capable of detecting and collecting releases and accumulated liquids until the collected material is removed?</p> <p>Yes _____ No _____ N/A _____</p>	

Regulation	RCRA GENERATOR INSPECTION CHECKLIST (PART 722)	Violation
(725.293c)	<p>To meet the requirements of Subsection (b), is the secondary containment system:</p> <p>1) compatible with the waste(s) in the tank and of sufficient strength and thickness to prevent failure? Yes _____ No _____ N/A _____</p> <p>2) placed on a foundation or base capable of providing support, providing resistance to pressure gradients and preventing failure due to settlement, compression or uplift? Yes _____ No _____ N/A _____</p> <p>3) provided with a leak detection system designed and operated to detect any release or accumulated liquid within 24 hours? Yes _____ No _____ N/A _____</p> <p>4) sloped or otherwise designed or operated to drain and remove liquids resulting from leaks, spills or precipitation? Yes _____ No _____ N/A _____</p> <p>and</p> <p>is spilled or leaked waste and accumulated precipitation removed from the secondary containment within 24 hours? Yes _____ No _____ N/A _____</p> <p>Note: A RCRA permit may allow for removal of liquids less frequently than 24 hours after accumulation.</p>	
(725.293d)	<p>Does the secondary containment for tanks have one or more of the following:</p> <p>1) a liner (external to the tank); or 2) a vault; or 3) a double-walled tank; or 4) an equivalent device (approved by the Board)? Yes _____ No _____ N/A _____</p>	
(725.293e)	<p>Does the external liner system(s), vault system(s) and/or double-walled tank(s) meet the additional requirements identified in Section 725.293(e)? Yes _____ No _____ N/A _____</p>	
(725.293f)	<p>Is ancillary equipment protected by secondary containment that meets the requirement of Subsection (h) and (c)? Yes _____ No _____ N/A _____</p> <p>If "No":</p> <p>1) Is aboveground piping (exclusive of flanges, joints, valves and connections) inspected daily? Yes _____ No _____ N/A _____</p> <p>2) Are welded flanges, joints and connections inspected daily? Yes _____ No _____ N/A _____</p> <p>3) Are sealless or magnetic coupling pumps and sealless valves inspected daily? Yes _____ No _____ N/A _____</p> <p>4) Are pressurized aboveground piping systems with automatic shut-off devices inspected daily? Yes _____ No _____ N/A _____</p>	
(725.293i)	<p>Until such time as secondary containment is provided, are the following requirements being met for all tank systems:</p> <p>1) For non-enterable underground tanks, has an annual leak test that meets the requirements of 725.291(b)(5) been conducted? Yes _____ No _____ N/A _____</p> <p>2) For other than non-enterable underground tanks and ancillary equipment, has an annual leak test, internal inspection or other tank integrity examination by an IRPE been conducted? Yes _____ No _____ N/A _____</p> <p>3) Are written records maintained at the facility to document the assessments required under Subsections (i)(1) and (i)(2)? Yes _____ No _____ N/A _____</p> <p>Note: If a tank system is found to be leaking or unfit for use as a result of a leak test or assessment, the owner/operator must comply with Section 725.296.</p>	
(725.294a)	<p>Has the owner/operator placed hazardous wastes or treatment reagents in the tank system that could cause the system to rupture, leak, corrode or otherwise fail? Yes _____ No _____ N/A _____</p>	

Regulation	RCRA GENERATOR INSPECTION CHECKLIST (PART 722)	Violation
(725.294b)	<p>Do tanks and secondary containment have appropriate controls and practices to prevent spills and overflows including:</p> <p>1) spill prevention controls? Yes _____ No _____ N/A _____</p> <p>2) overflow prevention controls? Yes _____ No _____ N/A _____</p> <p>3) sufficient freeboard in uncovered tanks? Yes _____ No _____ N/A _____</p>	
(725.294c)	<p>Note: If a leak or spill has occurred in the tank system, the owner/operator shall comply with the requirements of Section 725.296.</p>	
(725.295a)	<p>Does the owner/operator inspect, if present, at least each operating day, the following:</p> <p>1) overflow/spill control equipment? Yes _____ No _____ N/A _____</p> <p>2) the aboveground portion of the tank system for corrosion or releases? Yes _____ No _____ N/A _____</p> <p>3) data from monitoring equipment? Yes _____ No _____ N/A _____</p> <p>4) the construction materials and the area immediately surrounding the external portion of the system? Yes _____ No _____ N/A _____</p>	
(725.295b)	<p>If the tank system has cathodic protection, is the owner/operator complying with Section 725.295(b) to ensure that they are functioning properly? Yes _____ No _____ N/A _____</p>	
(725.295c)	<p>Does the owner/operator document in the operating record, the results of tank inspections as required in Section 725.295(a) and (b)? Yes _____ No _____ N/A _____</p>	
(725.296)	<p>If the tank system or secondary containment system has a leak or spill or is unfit for use, has the owner/operator:</p> <p>a) immediately ceased using; prevented flow or addition of waste and inspected the system to determine the cause of the release? Yes _____ No _____ N/A _____</p> <p>b) removed applicable waste from the system within 24 hours of detection? Yes _____ No _____ N/A _____</p> <p>c) immediately conducted a visual inspection of the release and taken actions to contain visible releases to the environment, prevented further migration to soils or surface water and removed and properly disposed of any contaminated soil or water? Yes _____ No _____ N/A _____</p>	
(725.296d)	<p>d) notified the Agency within 24 hours of detection of release? Yes _____ No _____ N/A _____</p> <p>d)3) within 30 days of detection of release, submitted a report to the Agency that complies with the requirements of Section 725.296(d)(3)? Yes _____ No _____ N/A _____</p>	
(725.296e)	<p>Note: Notification and reports are not necessary if less than 1 pound of material is spilled and it was immediately contained and cleaned up.</p> <p>e) repaired the tank system prior to returning the tank system to service in the event that a leak has occurred from the primary tank system into the secondary containment system? Yes _____ No _____ N/A _____</p> <p>e)4) provided secondary containment before returning a tank system to service in the event that the release was from a component of a tank system without secondary containment? Yes _____ No _____ N/A _____</p> <p>e)4) met the requirements for a new tank system in the event that a component is replaced during repair? Yes _____ No _____ N/A _____</p> <p>e)4) provided the entire component with secondary containment prior to being returned to use in the event that a leak has occurred in any portion of a component that is not readily accessible for visual inspection? Yes _____ No _____ N/A _____</p>	

Regulation	RCRA GENERATOR INSPECTION CHECKLIST (PART 722)	Violation
(725.296f)	<p>f) In the event that an extensive repair has been conducted in accordance with subsection (e), submitted to the Agency within 7 days after returning the tank system to use, a certification by an IRPE stating that the repaired system is capable of handling hazardous wastes without release for the intended life of the system?</p> <p>Yes _____ No _____ N/A _____</p> <p>Note: If the owner/operator does not satisfy the requirements of subsections (e)(2) through (e)(4), the tank system must be closed in accordance with Section 725.297.</p>	
(725.297a)	<p>At the time of closure of a tank system, has the owner/operator removed or decontaminated all waste residues, contaminated components, contaminated soils and structures and equipment and managed them as hazardous waste [unless Section 721.103(d) applies]?</p> <p>Yes _____ No _____ N/A _____</p>	
(725.297a)	<p>Have the closure plan, closure activities, cost estimates for closure and financial responsibility for tank systems met all requirements specified in Subparts G and H?</p> <p>Yes _____ No _____ N/A _____</p>	
(725.297b)	<p>If the tank system cannot be "clean" closed, has the owner/operator closed the tank system and performed post-closure care in accordance with the closure and post-closure care requirements that apply to landfills (Section 725.410)?</p> <p>Yes _____ No _____ N/A _____</p> <p>Note: Such a tank system is considered a landfill and must meet all of the requirements of landfills specified in Subparts G and H.</p>	
(725.298a)	<p>Are ignitable or reactive wastes placed in a tank system?</p> <p>Yes _____ No _____ N/A _____</p> <p>If "No", skip to Section 725.299.</p> <p>Is the waste treated, rendered or mixed before or immediately after placement in the tank system so that:</p> <ul style="list-style-type: none"> - the resulting waste, mixture or dissolved material is no longer ignitable or reactive? <p>Yes _____ No _____ N/A _____</p> <ul style="list-style-type: none"> - Section 725.117(b) is complied with? <p>Yes _____ No _____ N/A _____</p> <p>or</p> <p>Is the waste accumulated or treated so that it is protected from any material or conditions which may lead to ignition or reaction?</p> <p>Yes _____ No _____ N/A _____</p> <p>or</p> <p>Is the tank used solely for emergencies?</p> <p>Yes _____ No _____ N/A _____</p>	
(725.298b)	<p>Is the facility complying with the requirements regarding maintenance of protective distances between the waste management area and any public ways, streets, alleys or any adjoining property line?</p> <p>Yes _____ No _____ N/A _____</p>	
(725.299)	<p>Are incompatible wastes/materials placed in the same tank?</p> <p>Yes _____ No _____ N/A _____</p> <p>If "No", skip to Section 725.300.</p> <p>Is Section 725.117(b) being complied with?</p> <p>Yes _____ No _____ N/A _____</p> <p>Has the tank system been properly decontaminated if it previously held an incompatible waste/material unless Section 725.117(b) is complied with?</p> <p>Yes _____ No _____ N/A _____</p> <p>COMMENTS:</p>	

Regulation	RCRA GENERATOR INSPECTION CHECKLIST (PART 722)	Violation
(725.131)	SUBPART C: PREPAREDNESS AND PREVENTION Is the facility being operated and maintained to minimize the possibility of a fire, explosion or any release of hazardous waste or hazardous waste constituents which could threaten human health or the environment? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	
(725.132)	Is the facility equipped with the following, if necessary: a) an internal communication or alarm system(s)? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> b) a telephone or other device to summon emergency assistance from local authorities? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> c) portable fire extinguishers, fire control equipment, spill control equipment and decontamination equipment? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> d) water at adequate volume and pressure for fire control? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	
(725.133)	Is the facility testing and maintaining communication/alarm system(s), fire protection equipment, spill control equipment and decontamination equipment? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	
(725.134)	a) Where hazardous waste is being handled, do all employees have immediate access to an internal alarm or other emergency communication device? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> b) If there is ever just one employee on the premises when the facility is operating, does he/she have immediate access to a device capable of summoning external emergency assistance? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	
(725.135)	Is the facility maintaining adequate aisle space? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	
(725.137)	Has the facility attempted to make the following arrangements, as appropriate, for the type of facility and waste: - arrangements with local emergency authorities (i.e. police and fire departments, other emergency response agencies) to familiarize them with the layout of the facility, properties of hazardous waste handled, places where facility personnel would be working, entrances to roads inside the facility and evacuation routes? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> - agreements designating the primary authority where more than one police or fire department might respond? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> - agreements with State emergency response teams, contractors and equipment suppliers? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> - arrangements to familiarize local hospitals with the properties of hazardous waste handled at the facility and the type of injuries or illnesses which could result from fires, explosions or releases at the facility? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	
	SUBPART D: CONTINGENCY PLAN AND EMERGENCY PROCEDURES (Electronic)	
(725.151a)	Is the contingency plan available? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> If "No", skip to Section 725.155. Is the plan designed to protect human health and the environment from releases to the air, soil and water? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	
(725.151b)	Has there been a fire, explosion or release of hazardous waste? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> If "Yes", has the contingency plan been carried out immediately? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/>	
(725.152a)	Does the plan describe the actions required for response to: - fires? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> - explosions? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> - releases? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	

Regulation	RCRA GENERATOR INSPECTION CHECKLIST (PART 722)	Violation
(725.152c)	<p>Does the plan describe arrangements with:</p> <ul style="list-style-type: none"> — police and fire departments? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> — hospitals? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> — contractors? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> — emergency response teams? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> 	<i>St. Francis - Evangelical Heritage</i>
(725.152d)	<p>Does the plan contain the current emergency coordinator's name, phone (office and home) and address?</p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/></p>	
(725.152e)	<p>Does the plan identify all emergency equipment including:</p> <ul style="list-style-type: none"> — description? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> — capability? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> — location? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> <p>Is the list of emergency equipment up-to-date?</p> <p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></p>	
(725.152f)	<p>Does the plan include:</p> <ul style="list-style-type: none"> — an evacuation plan? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> — an evacuation signal? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> — alternate evacuation routes? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> 	
(725.153)	<p>Has the contingency plan (including all revisions) been:</p> <p>a) maintained at the facility? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></p> <p>b) submitted to:</p> <ul style="list-style-type: none"> — police department? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> — fire department? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> — hospital? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> — emergency response teams? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> 	<i>document</i> <i>ISO 14001</i> <i>tickler</i> <i>system</i> <i>doc. annually</i> <i>on electronic</i> <i>systems</i> <i>w/ Document</i> <i>History</i> <i>Section</i>
(725.154)	<p>Has the contingency plan been reviewed and revised whenever:</p> <p>a) regulations are revised? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></p> <p>b) the plan fails in an emergency? Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/></p> <p>c) the facility changes in a way that modifies the emergency response necessary? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></p> <p>d) information regarding emergency coordinators changes? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></p> <p>e) information regarding equipment changes? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></p>	
(725.155)	<p>Is the emergency coordinator on-site or on call at all times?</p> <p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></p> <p>Is the emergency coordinator familiar with all facility activities, wastes, records, layout and contingency plan?</p> <p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></p> <p>Does the emergency coordinator have the authority to commit the resources needed to carry out the actions specified in the contingency plan?</p> <p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></p>	
(725.156)	<p>If the facility has had a release, fire or explosion, have the procedures of this Section been followed regarding assessment, response and reporting?</p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input checked="" type="checkbox"/></p>	
	<p>Note: If the facility has had a release, explain in detail.</p>	

Hydraulic line on a vendor truck

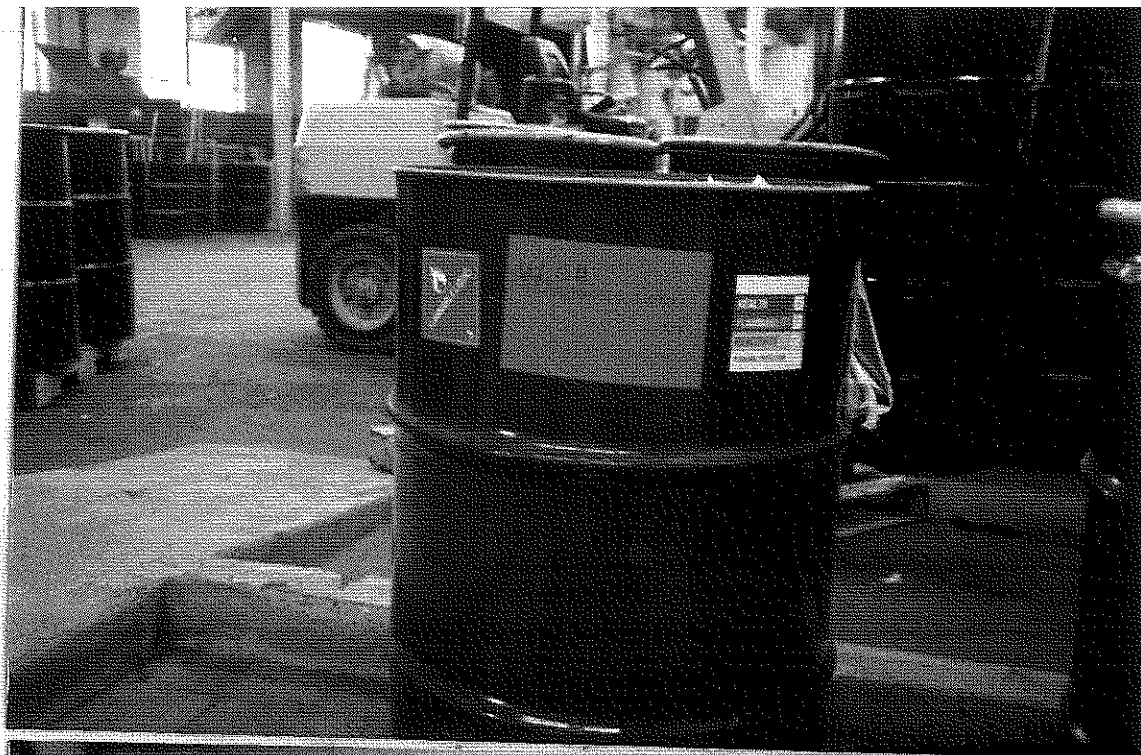
Regulation	RCRA GENERATOR INSPECTION CHECKLIST (PART 722)	Violation
(725.116a)	<p>Section 725.116 Personnel Training</p> <p>Does the facility have a training program? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></p> <p>Have facility personnel successfully completed a program of classroom or on-the-job training that teaches them to perform their duties in a way that ensures the facility's compliance with the requirements of Part 725? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></p> <p>Is the program directed by a person trained in hazardous waste management procedures? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></p> <p>Does the program teach facility personnel hazardous waste management procedures (including contingency plan implementation) relevant to the positions in which they are employed? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></p> <p>Does the program cover, at a minimum:</p> <ul style="list-style-type: none"> - procedures to familiarize facility personnel with emergency procedures, emergency equipment and emergency systems? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> - procedures for using, inspecting, repairing and replacing facility emergency and monitoring equipment? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> - key parameters for automatic waste feed cut-off systems? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> - communications or alarm systems? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> - response to fire or explosions? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> - response to groundwater contamination incidents? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> - shutdown of operations? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> 	<p>2001 train</p> <p>spill & fire all staff</p> <p>trained on various plans & procedures not necessary all at one time</p> <p>90 days</p> <p>electronic procedures</p>
(725.116b)	<p>Have new employees completed the program within 6 months of the date of employment or assignment to a position requiring them to manage hazardous waste? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></p>	
(725.116c)	<p>Have facility personnel received an annual review of the initial training? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></p>	
(725.116d)	<p>Are the following documents and records being maintained at the facility:</p> <ol style="list-style-type: none"> 1) the job title for each position related to hazardous waste management and the name(s) of the employee(s) filling each job? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> 2) a written job description for each position above, including the requisite skill, education or other qualifications and duties of personnel assigned to each position? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> 3) a written description of the type and amount of both initial and continuing training that will be given to each person filling a position dealing with hazardous waste management? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> 4) records documenting that the training or job experience has been given to and completed by facility personnel? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> 	
(725.116e)	<p>Is the facility maintaining training records until closure of the facility and those of former employees for at least 3 years from the last date of employment? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/></p>	

Regulation	RCRA GENERATOR INSPECTION CHECKLIST (PART 722)	Violation
(728.107a4)	Section 728.107 Waste Analysis and Recordkeeping Has the generator who treats a prohibited waste in tanks or containers in order to meet the treatment standards developed and followed a waste analysis plan? Yes _____ No _____ N/A <input checked="" type="checkbox"/> Is the plan on-site? Yes _____ No _____ N/A <input checked="" type="checkbox"/> Does the plan include a detailed physical and chemical analysis? Yes _____ No _____ N/A <input checked="" type="checkbox"/> Has the plan been filed with the Agency at least 30 days prior to commencement of treatment activity? Yes _____ No _____ N/A <input checked="" type="checkbox"/> Has the generator submitted the required notification and certification that the waste meets treatment standards when the waste is shipped off-site? Yes _____ No _____ N/A <input checked="" type="checkbox"/>	
722.134(c)	Section 722.134 Satellite Accumulation Is the generator who accumulates hazardous waste at or near any point of generation where wastes initially accumulate and which is under the control of the operator of the process generating the waste 722.134(c) limiting such accumulation to 55 gallons of hazardous waste or 1 quart of acutely hazardous waste marking the containers with the words "Hazardous Waste" or other words identifying the contents? Yes <input checked="" type="checkbox"/> No _____ N/A _____ Has the generator who accumulates more than 55 gallons of hazardous waste or 1 quart of acutely hazardous waste complied with the requirements of Section 722.134(a) within 3 working days? Yes <input checked="" type="checkbox"/> No _____ N/A _____ If there are more than 55 gallons of hazardous waste or 1 quart of acutely hazardous waste in the satellite accumulation area, are the containers marked with the date accumulation began? Yes <input checked="" type="checkbox"/> No _____ N/A _____ During the 3 day period, is the generator continuing to comply with the requirements of Section 722.134(c)(1) with respect to the excess waste? Yes <input checked="" type="checkbox"/> No _____ N/A _____	722.134(c) <i>Confusion over start dates</i>
	SUBPART D: RECORDKEEPING AND REPORTING	
722.140(a)	Section 722.140 Recordkeeping Has the generator retained for a period of 3 years: - a copy of each signed manifest? Yes <input checked="" type="checkbox"/> No _____ N/A _____	722.140(a)
722.140(b)	Has the generator retained a copy of each Annual Report and Exception Report for a period of at least three years from the due date of the report (March 1)? Yes <input checked="" type="checkbox"/> No _____ N/A _____	722.140(b)
722.140(c)	Has the generator retained for a period of 3 years: - copies of test results, waste analyses or other determinations made in accordance with Section 722.111? Yes <input checked="" type="checkbox"/> No _____ N/A _____	722.140(c)
722.140(d)	Does a generator who is involved in any unresolved enforcement action or as requested by the Director continue to maintain the records required in subsections a) and c)? Yes _____ No _____ N/A <input checked="" type="checkbox"/>	722.140(d)
722.141(a)	Section 722.141 Annual Reporting Has the generator who ships hazardous waste off-site for treatment, storage or disposal filed an annual report with the Agency by March 1 for the preceding calendar year? Yes <input checked="" type="checkbox"/> No _____ N/A _____ Note: If "No", or if deficiencies are noted with the annual report reviewed, contact the Planning and Reporting Section.	722.141(a)
722.141(b)	Has the generator who treats, stores or disposes of hazardous waste on-site, filed an annual report with the Agency by March 1 for the preceding calendar year? Yes _____ No _____ N/A <input checked="" type="checkbox"/>	722.141(b)

Regulation	RCRA GENERATOR INSPECTION CHECKLIST (PART 722)	Violation
722.142(a)(1)	Section 722.142 Exception Reporting If the generator has not received a copy of the manifest from the TSD facility within 35 days of the date of delivery to the transporter, has the generator contacted the transporter or the TSD facility to determine the status of the hazardous waste? Yes _____ No _____ N/A <input checked="" type="checkbox"/>	722.142(a)
722.142(a)(2)	If the generator has not received a copy of the signed manifest within 45 days of the date of delivery to the transporter, has he filed an exception report with the Agency in accordance with the requirements of this Section? Yes _____ No _____ N/A <input checked="" type="checkbox"/>	722.142(a)(2)
722.143	Section 722.143 Additional Reporting Has the generator furnished additional reports as required by the Director? Yes _____ No _____ N/A <input checked="" type="checkbox"/>	722.143
	SUBPART E: EXPORTS OF HAZARDOUS WASTE Is the generator an exporter of hazardous waste? Yes _____ No <input checked="" type="checkbox"/> N/A _____ If "Yes", has the generator complied with the requirements of Subpart E? Yes _____ No _____ N/A _____	
	SUBPART F: IMPORTS OF HAZARDOUS WASTE Is the generator an importer of hazardous waste? Yes _____ No <input checked="" type="checkbox"/> N/A _____ If "Yes", has the generator complied with the requirements of Subpart F? Yes _____ No _____ N/A _____	
	SUBPART G: FARMERS Is the generator a farmer? Yes _____ No <input checked="" type="checkbox"/> N/A _____ If "Yes", has the generator complied with the requirements of Subpart G? Yes _____ No _____ N/A _____	
	COMMENTS:	

TM:jab\722gen2.wpd

*Used Oil in Containers Only
 Waste Light Bulbs —
 Lead Acid Batteries / Other Batteries*





Waste, Pesticides and Toxics Division

Type of Document: ☒ Notice of Violation and Inspection Report/Checklist
☐ No Violation Letter and Inspection Report/Checklist
☐ Letter of Acknowledgment
☐ Information Request
☐ Pre-Filing and Opportunity to Confer
☐ State Notification of Enforcement Action

Facility Name : Federal-Mogul Corporation

Facility Location: 7540 N. McCormick Blvd.

City: Skokie State: IL 60076

U.S. EPA ID# ILD 005 119 334

Assigned Staff Diane Sharrow Phone: x66199

Name	Signature	Date
Author	<i>Diane Sharrow</i>	4/15/13
Regional Counsel	<i>See Kett's comments that were incorporated</i>	4/18/13
Section Chief	<i>Diane Sharrow for LATS</i>	4/18/13
Branch Chief		

Directions/Request for Clerical Support:

After the Section Chief/Branch Chief signs this sheet and original letter:

1. Date stamp the cover letter;
2. Make four copies of the contents of this folder:
 - One copy for the assigned staff;
 - One copy for the section file;
 - One copy for the branch file; and
 - One copy for the official file.
3. Make any additional copies for cc's or bcc's.
4. Mail the original certified mail and distribute office copies and cc's and bcc's.
Once the certified mail receipt is returned:
5. File the certified mail receipt (green card), with this sign-off sheet and the official file copy, and take to 7th floor RCRA file room;
6. E-mail staff the date that the letter was received by facility.

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